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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 003806

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TAGS: PREL PGOV IZ
SUBJECT: ARTICLE 140 COMMITTEE MEMBERS UPDATE ON CURRENT STATUS

Classified By: Political Counselor Margaret Scobey for reasons 1.4 (b) and (d)

¶1. (C) Summary. In meetings with PRT Kirkuk officers and Emboff, Baghdad-based Article 140 Committee members explained the Committee,s current structure and efforts taken to finish Kirkuk,s "normalization." Basic questions including funding, Kirkuk,s boundaries, and who will participate in the referendum remain unanswered. While some Committee members remain convinced that the referendum will occur as scheduled in October 2007, others oppose pressing forward without adequately addressing the multiple outstanding issues. End Summary.

Subcommittees and Regional Offices to Further Normalization

¶2. (C) Prime Minister Maliki announced the Article 140 Committee,s formation on August 9. The nine members immediately established a timeline with a March 2007 deadline for completing Kirkuk,s "normalization" process, a September 2007 deadline for completing a census, and an October/November 2007 goal for a referendum to decide Kirkuk,s future status. Committee member and Kurdistan Regional Government (KRG) Minister of Extra Regional Affairs Mohammed Ihssan explained in September and October meetings with PRT Kirkuk and Embassy officers the Committee,s latest changes. In addition to opening regional offices in Baghdad, Kirkuk, Makhmor (Erbil province), and Touz Hourmato (Sulaymaniyah province), five subcommittees based in Baghdad have been created. These subcommittees - a technical committee, follow-up committee, finance committee, fact finding committee, and an administrative committee) will review applications received in the regional offices from residents seeking assistance leaving the region or former residents wanting to return to their previous properties.

Relationship with the CRRPD

¶3. (C) Ihssan agreed that many of the Article 140 Committee,s normalization process efforts are similar to efforts of the separate Commission for Resolution of Real Property Disputes (CRRPD). The key difference, according to Ihssan, is that the Article 140 Committee does not have to submit cases through a lengthy legal process. For example, according to Ihssan he "knows of 7,000 families willing to move immediately from Kirkuk for 10,000 USD each." The regional offices could be used to collect these applications, pass them to the appropriate Article 140 subcommittee and disburse funds if the application is favorably approved. Ihssan concluded by saying that the Article 140 Committee has invited a CRRPD member to join the Committee "as a non-voting member."

¶4. (C) A subsequent meeting with Jassim Mohammed, Minister of Youth and Sport and Committee member representing Shiite Turkmen, confirmed an invitation had been extended to the CRRPD. A response, however, has not been received. Mohammed agreed the Committee would benefit from a CRRPD representative since he believes there are approximately 75,000 people who want to move into the Kirkuk area in advance of the referendum while approximately 5,000 people will seek compensation to leave the area. According to Mohammed, both the CRRPD and Article 140 Committee will be needed to process the high number of outstanding property claims.

Impediments to Progress

¶5. (C) In separate meetings, other members conveyed frustrations with the Committee,s progress and lack of support from the GOI. Ihssan stated that the Committee has been given a 200 million USD budget, but that the funds have not been made available. Furthermore, according to Ihssan, certain members have not been active in the Committee's work. The Minister of Interior, Ihssan stated, has not attended a Committee meeting and sends representatives "unable to make decisions."

¶6. (C) Jassim Mohammed expressed frustration at differences of opinion about the Committee,s focus. In addition to property and boundary disputes, Mohammed stated that the Committee must focus on displaced peoples and rebuilding destroyed villages. When questioned about the Committee,s progress, Mohammed replied that "you can,t solve Kirkuk by

committee," and suggested that an international organization such as the UN could play an important role in protecting Kirkuk,s non-Kurdish residents.

Delaying the Referendum?

¶7. (C) Ihssan dismissed the idea of delaying the referendum would allow the Committee to finish its work, stating that the there is sufficient time to finish normalization and conduct a census before the referendum. When asked whether the UN could assist in Kirkuk,s normalization and referendum, Ihssan replied that UN involvement would be seen as a delay tactic and that "delay is unacceptable."

¶8. (C) Other Committee members, however, express serious concerns about the Committee,s ability to meet their stated timeline. According to Minister Environment, Narmeen Uthman, a Kurdish Committee member, there is insufficient time to complete the outstanding property disputes and negotiate the provincial borders. Uthman stated that she "hopes the referendum can be delayed" but she is not sure if other Committee members will agree to a postponement.
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